



Department of City Development

City Plan Commission
Neighborhood Improvement
Development Corporation
Redevelopment Authority

Rocky Marcoux
Commissioner

Martha L. Brown
Deputy Commissioner

January 7, 2011

Ms. Stone,

I am pleased to submit two original copies of the City of Milwaukee's application for the Wisconsin Department of Commerce's "Community Development Block Grant Supplemental Disaster Allocation Emergency Assistance Program for Business Mitigation."

In 2008, the City of Milwaukee experienced the second wettest June in recorded history. Flooded roads were closed, drivers and passenger had to be rescued from their cars, buildings collapsed, basements were inundated with flood waters, and sewers backed up into homes and businesses creating safety and health risks. As a community we have been working closely with those businesses that were impacted by the floods but have few financial resources. A grant program such as this one is a critical piece in assisting these companies and allowing them to focus on their core business.

If you should have any questions as you review this application, please do not hesitate to call me at 414-286-8682.

Respectfully,

David P. Misky
Assistant Executive Director- Secretary
Redevelopment Authority of the City of Milwaukee

City of Milwaukee Application for CDBG-EAP Funds

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APPLICATION FOR CDBG-EAP FUNDS

Applicant(s) Name: City of Milwaukee **County:** Milwaukee

☐ Check here if you are submitting a joint application

FEIN #: City of Milwaukee FEIN 39-6005532

E-mail: skenea@milwaukee.gov **Fax:** 414-286-5003

Date of Disaster: June 5 – July 25, 2008

Mailing Address:

200 East Wells Street, DOA, -City Hall Milwaukee, WI 53202
Street/Box City/Village Zip

Physical Location, if different from above:

Same
Street/Box City/Village Zip Phone

Contact Person:

Susan Kenealy City of Milwaukee Grant Coordinator
Name Title

Address:

200 East Wells Street MILWAUKEE, WI, 53201 414-286-5583
Street/Box City/Village Zip Phone


E-mail: skenea@milwaukee.gov

Application Prepared By: Dave Misky, Redevelopment Authority of the City of Milwaukee (414) 286-8682

The amount requested for Business Assistance **\$2,250,000** in repairs not covered by other funding sources (e.g. FEMA, insurance, SBA, donations, etc.).

(details listed in attached budget section)

Chief Elected Official:

Thomas Barrett MAYOR  01/06/11
Name Title Signature Date

Address, if different:

Same (414) 286-2200
Street/Box City/Village Zip Phone

A. PROJECT DESCRIPTION

A1. Damages

June of 2008 was the second wettest June in recorded history for the City of Milwaukee. Beginning with storms on June 7 and 8, Milwaukee was inundated with relentless rain. The greatest 48 hour rainfall ever recorded, 7.18 inches, fell within the city of Milwaukee creating devastating consequences. The massive and drenching storms caused widespread flooding throughout Milwaukee County. Milwaukee County Sheriff, David Clarke Jr., reported that county storm damages exceeded \$138 million. A total of 11,488 residential homes in Milwaukee County sustained damage totaling nearly \$99 million and 325 businesses sustained damage totaling approximately \$8.1 million.

The City of Milwaukee was hard hit. Over 1,100 residences reported damages exceeding \$23 million. Flooded roads were closed, drivers and passenger had to be rescued from their cars, buildings collapsed, basements were inundated with flood waters, and sewers backed up into homes creating safety and health risks. The Police and Fire Departments called in extra crews to deal with closings, rescues, natural gas leaks and fires caused by the storm. The Department of Public Works brought in all available personnel to deal with removing debris and restoring flow at catch basins and to unplug clogged sewers.

Particularly hard hit was the **flood plain of the Oak Creek basin**, approximately 1 mile west of the General Mitchell International Airport, at the intersection of S. 13th Street and W. College Avenue in the City of Milwaukee. The volume of water during June 2008 that caused flooding in this area was exasperated due to the undersized bridge opening underneath West College Avenue and the Canadian Pacific Rail crossing that could not accommodate the flows of the North Branch of Oak Creek. The Oak Creek Watercourse Management Plan does not anticipate replacement of the bridge or rail crossing any time soon and the cost to complete would be expensive.

Three properties near the intersection of S. 13th Street and W. College Avenue were particularly impacted. A large portion of their properties and buildings lie within the SEWRPC mapped Oak Creek floodplain, also known as the high hazard flood plain, and was flooded in June 2008 causing significant economic damage to their facilities and disrupting business operations at the facilities. The addresses for the three properties are 950 W. College Avenue, 980 W. College Avenue, and 6200-6214 S. 13th Street.

The owners of the three properties have been working with the Milwaukee Metropolitan Sewerage District (MMSD) and the City of Milwaukee on solutions to the problem which also occurred in June 2009 and July 2010. While no agreement has been reached with any of the owners, one possible solution may be acquisition and relocation. Based on estimates by MMSD in their Oak Creek Updated Phase 1 Watercourse Management Plan, the cost for acquisition and relocation for all three properties is at least \$3.8 million. Obviously, this would result in a long-term mitigation project that will prevent future damage from occurring on these properties; however, the cost to implement this alternative is significant whereby other alternatives should be examined. One of the properties (6200-6214 S. 13th Street) has worked with the MMSD and the City on designing and constructing an earthen berm between their building and the creek, protecting them from similar flood events.

City staff has met with the affected businesses and have anecdotal evidence of the damages in 2008 and 2010. It is evident from the business owners' comments that the damages in 2010 were very much a repeat of the damages in 2008, which added to their frustration and increase the urgency to respond with some mitigation efforts.

A1. Damages (continued)

In addition to the Oak Creek basin area described, several other commercial areas were hit hard and sustained substantial damage during the June 2008 rains. In the **Lincoln Creek Watershed**, located within the City's CDBG area, there was significant damage to businesses. The area is also part of Milwaukee's 30th Street Industrial Corridor, a key industrial area identified in 2006 by the City and State of Wisconsin as a top economic development priority to stabilize neighborhoods, address environmental conditions, attract and retain businesses, and create jobs.

In particular, the flooding of June 2008 created substantial property damage near North 31st Street and West Capitol Drive including two companies within the Lincoln Creek Watershed. Eaton Corporation has been serving the needs of its customers for nearly 100 years and has been located at 4201 N. 27th Street since 1978 when Eaton acquired Cutler-Hammer Inc., a company that supplies industrial control and power distribution, aircraft, commercial, appliance and semiconductor products. In 2002, Eaton sold its Navy Controls business to DRS Power & Control Technologies Inc. (4265 N. 30th Street), a leading supplier of high-performance power conversion and instrumentation and control systems for the U.S. Navy's combatant fleet, including nuclear-powered and conventionally-powered ships. Because of the acquisition, the two distinct companies share common walls at their campus but, collectively, have over 550 highly skilled employees at this location.

The flooding in the Lincoln Creek Watershed during the June 2008 rains caused economic damage to DRS and Eaton where the floods forced a shutdown of a portion of each of their facilities. The economic damage reoccurred in 2009 and was even more evident in 2010 where DRS incurred approximately \$22 million of damage and Eaton over \$3 million. Building a berm along the southern property line of DRS and installing submarine door(s) and plugs to separate the basement portions of the connecting buildings is paramount to the economic health of both firms.

In general, this area of the city represents some of the densest neighborhoods in the city. Despite the successes of businesses like DRS and Eaton, the 30th Street Corridor was once a major manufacturing hub and home to numerous other businesses that employed a high percentage of area residents. Beginning in the 1970s through today, employment opportunities declined precipitously, Tower Automotive, a former owner of the site known as Century City, declared bankruptcy, and a once proud symbol of Milwaukee's industrial power became a visual representation of disinvestment and deterioration. At its peak, the site employed more than 9,000 people and provided a gateway to the middle class for generations of families. Today, the percentage of residents employed in manufacturing has declined from nearly 40 percent to less than 15 percent over the last 30 years.

The decline of manufacturing coupled with the presence of numerous brownfield sites have contributed to a downward spiral in the health of the neighborhoods surrounding Century City, increasing unemployment, vacancies, business closures, crime and poverty. These neighborhoods represent a population of Milwaukee with the greatest need. Census data shows that unemployment in 2000 around Century City was 16-25% in varying block groups, more than three times Milwaukee's (2000) unemployment rate. Since 2000, the manufacturing sector has continued to erode and Milwaukee has suffered as a result of the recession, and, absent updated census data, it would be reasonable to assume that economic indicators have significantly worsened. Within a one-mile radius of Century City, nearly one-third of the residents live below the poverty rate. More than 97% of the population is minority, 35% of the residents do not hold a high school degree, and 33% of the area residents do not have access to a vehicle. Since January 1, 2008, foreclosure filings have been initiated against over 20% of all one- and two-family homes in the neighborhood surrounding Century City, whereas the City of Milwaukee average for the same time period is 11.8%.

City of Milwaukee Application for CDBG – EAP Funds
Page Four

Since 2008 the City of Milwaukee has taken significant steps to address these economic challenges including the flooding problem in the 30th Street Industrial Corridor. These steps have involved significant real estate acquisitions such as the former A.O. Smith/Tower Automotive property. The redevelopment of this property alone will have a significant impact on environmental conditions, flooding problems, and other economic investment limitations in this part of the city. The redevelopment consists of approximately 84 acres and is part of an overall \$34.5 million public investment to redevelop the site into a modern business park with residential and retail amenities. The area is bounded by West Capitol Drive to the north, West Townsend Street to the south, West Hopkins Street to the east, and a rail line to the west.

(See Table of Contents for support documentation)

A2. Activities to be funded:

1a) Oak Creek Flood Management: Three commercial properties currently located in the Oak Creek high hazard floodplain are being considered for flood-proofing which may include acquisition and relocation followed by demolition of any structures. However, the cost to perform such activities is approximately \$3.8 million and may not be financially feasible. An alternative may be the acquisition and relocation of two of the properties and construction of a berm to protect the third property.

For the acquisition and relocation services, the Department of City Development/Redevelopment Authority of the City of Milwaukee (RACM) will provide to the operating businesses, working with the owner to identify suitable replacement options with the goal to make it possible for the business to relocate within the City of Milwaukee. The acquisition/demolition/relocation of the two commercial properties within the Oak Creek Project area will reduce the risk of flooding for several other surrounding businesses since the acquired properties will be used as flood mitigation.

The design and construction of an earthen berm to protect the hotel property is likely the most cost-effective mitigation step. The hotel has been working with MMSD and the City of Milwaukee on the concept which would protect their investment at this location.

2) DRS Berm and Internal Flood Protection Design and Construction: In the Lincoln Creek Watershed, design and construct an earthen berm and other flood protection methods including submarine doors and a tunnel plug further separating the DRS facility (4265 N. 30th Street) and the Eaton facility (4201 N. 27th Street). There is currently little perimeter floodwall protection and, what does exist, is not capable of providing adequate flood risk reduction. The MMSD, the City of Milwaukee, DRS, and Eaton agree that an improved flood protection system is the preferred method for addressing the increased flood risk at their facilities. The companies have budgeted \$100,000 for design and construction of an earthen berm and improved internal drainage system at the facilities will provide adequate drainage in the event of a storm greater than the 1% probability flood.

3) 30th Street Corridor/Century City Design and Flood Mitigation Century City represents the largest contiguous property in the area. Approximately 100% of the site is covered by impervious material (concrete, asphalt, and compacted gravel) and the current stormwater conveyance system (i.e., catch basins and sewer pipes) is complex and in disrepair. The City of Milwaukee acquired this property to address the blighting influence it has on the area and improve the infrastructure.

One of the challenges is that the Century City property sits on the dividing line between the Separated Sewer and Combined Sewer Areas. Because of the density and antiquated infrastructure, stormwater can easily overwhelm the underground infrastructure, public right-of-ways, and Lincoln Creek causing flooding and sewer backups inside homes and businesses. It also makes West Capitol Drive and West Townsend Street susceptible to flooding.

As the City of Milwaukee moves forward with redevelopment activities, it plans to completely reconstruct the stormwater management system to help mitigate flooding in the area. This will significantly limit the amount of water that leaves the site and enters the system. The physical environment in this part of the city is very challenging and makes flood mitigation difficult. Because of the area's density, large scale infrastructure reconstruction is difficult and flood mitigation will not be limited to a single solution. A multi-pronged approach will be necessary and will involve public-private partnerships to achieve our common goal.

The flood mitigation approach will include an overhaul of the public and private sewer conveyance systems. The City of Milwaukee plans to implement a number of best management practices including, but not limited to, detention pond, bio-retention cells, bio-swales, green roofs, underground storage, and porous pavement. The City will also coordinate redevelopment activities with the Department of Public Works to upgrade public infrastructure in the surrounding streets and transportation corridors. DPW will be asked to conduct more frequent street cleaning which can play a role in limiting flooding. The total cost of implementing these measures is \$1.6 million with the City providing \$500,000 in match.

3. Available Resources

The City is operating under enormous fiscal pressure at a time when unemployment, poverty and the need for basic social services has increased dramatically. The result is an unprecedented need for CDBG funds to shore up basic city programs and assist non-profits offering critical social service and neighborhood based programs. Although CDBG entitlement funds are stretched to the absolute limit, the City is successfully marshalling other internal and external funding resources to implement these vital projects.

Milwaukee is the largest City in Wisconsin and contains the largest concentration of LMI housing in the state. According to the 2000 census figures, 21.3% of residents fell below Federal poverty guidelines making Milwaukee home to the state's largest concentration of LMI households, and straining available funds for City programs. Data also indicates that

- ▶ The City's housing stock is aging with over 42% built prior to World War Two;
- ▶ The housing vacancy rate more than doubled in the City between 1990 and 2008 when it was measured at 11.3%. (The recent housing crisis has resulted in a spike in foreclosures and pushed demand to the rental market.);
- ▶ Milwaukee is the most ethnically and racially diverse city in the county, metro area, and the state. More than 53% of city residents are racial and ethnic minorities and 88% of Milwaukee County's minority population lives in the City of Milwaukee including 96% of the County's black population and 81% of the County's Hispanics;
- ▶ The City's poverty rate peaked at 26.2% in 2006, the 8th highest among US cities with populations over 250,000; and
- ▶ In September of 2009, the Wisconsin Department of Workforce Development estimated the unemployment rate in Milwaukee reached 11%.

With growing poverty and increasing need, the city's Community Development Block Grant (CDBG) entitlement has been stretched but cannot meet all of the ongoing needs. Funding is highly sought and has been used to fund basic city programs and assist non-profits offering critical social service and neighborhood based programs. The CDBG entitlement funds could not have been made available for flood damage rehabilitation or for repair or housing relocation due to floods without severely impacting other programs serving LMI residents. In 2010, the allocation of U.S. Housing and Urban Development funds includes program funding in the area of Community Development Block Grant (\$16,900,000); HOME (\$6,900,000); Emergency Shelter Grants (\$741,009); and Housing for People with Aids – HOPWA (\$531,988) for a total of \$25,072,997.

However, other funding totally more than \$1,550,000 will be used to match CDBG-EAP funds being applied for (see attached budget for details). Funding partners include the City of Milwaukee, the Milwaukee Metropolitan Sewerage District, and private businesses.

B. Projects Timetable

Oak Creek Flood Management Schedule

S. 13 th Street and West College Avenue Acquisition Approval	1 st Quarter 2012
Berm Design and Engineering	2 nd Quarter 2012
Berm Construction	4 th Quarter 2012
Business/Property Acquisitions Completed (ER completed)	4 th Quarter 2012
Owner relocation start	4 th Quarter 2012
Owner relocation completed	2 nd Quarter 2013
Business/Property Demolition Project Start	2 nd Quarter 2013
Business/Property Demolition Project Completion	4 th Quarter 2013

DRS Berm and Internal Flood Protection Design and Construction Schedule

Memorandum of Understanding Signed Start	3 rd Quarter 2011
Design Project Start	3 rd Quarter 2011
Design Completed (ER Completed)	1 st Quarter 2012
Construction Start*	1 st Quarter 2012
Construction Completion	3 rd Quarter 2012

*Design and Construction will be managed by DRS and Eaton Corp.

30th Street Corridor/Century City Design and Flood Mitigation Schedule

Design Project Start	3 rd Quarter 2011
Design Completed (ER Completed)	2 nd Quarter 2012
Construction Start	1 st Quarter 2013
Construction Completion	3 rd Quarter 2013

Davis Bacon wage rates will apply to all project activity.

C. Capacity

1. Who will be responsible for program administration? (check all that apply)

- ☒ Applicant staff
☐ Consultant staff
☒ Other (specify) Redevelopment Authority- City of Milwaukee (RACM) and Milwaukee Metropolitan Sewerage District (MMSD)

2. Identify the personnel and the percentage of time that will be involved with carrying out the program activities. Include Name, Title, Current/ongoing duties, estimated time to be devoted to CDBG-EAP activities.

Mr. Dave Fowler, CFM,

Senior Project Manager

Milwaukee Metropolitan Sewerage District

Mr. Fowler will devote 15% of his time to CDBG – EAP activities.

Mr. Dave Misky, MS

Assistant Executive Director of the Redevelopment Authority of the City of Milwaukee.

Mr. Misky will devote 40% of his time to CDBG – EAP Activities

3. Identify the relevant experiences of the person/agency that will administer the proposed activities:

Mr. Fowler holds a Masters degree in Stream Ecology and is a Certified Floodplain Manager since 2002. With 28 years of experience at MMSD, Mr. Fowler has managed projects encompassing over 150 Million dollars in project budgets. His accomplishments include planning, design, and construction of Hart Park Flood Management Project on the Menomonee River Creek, the Whitnall Park Creek Flood Management Project and the Underwood Creek Restoration Project. Dave was also responsible for the planning and design for portions of the Lincoln Creek Flood Management Project. He is a member of numerous professional associations and has served on the boards of several national organizations in his field. Mr. Fowler will lead the project overseeing all activities within the Kinnickinnic River corridor, the 30th Street Corridor, and the Menomonee Valley.

Mr. Misky manages all housing/development initiatives and environmental mitigation along with financing oversight for the Redevelopment Authority of the City of Milwaukee (RACM). He has over 14 years of diversified experience in real estate development with a strong focus on environmental issues. He currently oversees the City of Milwaukee's real estate, 30th Street Industrial Corridor, and Brownfield programs. Mr. Misky and his team manage projects from small vacant residential lots to vast economic drivers that address development plans, zoning changes, gap financing, and environmental aspects of remediation and sustainability. He managed the Menomonee Valley Industrial Center, an award-winning project often known as the most visible Brownfield in the State of Wisconsin. Mr. Misky holds a bachelors degree in Biological Sciences from UW-Milwaukee and a Master's degree in Water Resources from the Institute of Environmental Studies, UW-Madison.

D. CDBG-EAP BUDGET (see attached excel spreadsheet)

PROGRAM COMPONENT ACTIVITIES	TOTAL PROJECT \$	CDBG-EAP \$ AMOUNT	Admin	Units	Other Committed Resources	Source	
1. Oak Creek Flood Management							
Flood-Proofing (e.g. Acquisition/Relocation)	>\$1,500,000	\$700,000		2	\$800,000	City/MMSD	
Berm	\$200,000	\$100,000		1	\$100,000	City/MMSD	
2. DRS Berm and Internal Flood Protection Design and Construction							
Planning & Preliminary Engineering	\$50,000				\$50,000	City/Private	
Berm	\$200,000	\$150,000			\$50,000	City/Private	
Submarine Doors and Plugs	\$250,000	\$200,000		10	\$50,000	City/Private	
3. 30th Street Corridor/Century City Design and Flood Mitigation							
Planning & Preliminary Engineering	\$200,000					City/TID	
Wet Detention Pond	\$550,000	\$450,000			\$100,000	City/TID	
Bio-Retention Cells/Bio-swales	\$850,000	\$650,000			\$200,000	City/TID	
Totals	\$3,800,000	\$2,250,000			\$1,550,000		



Photograph No. 1

Hotel located at 6200-6214 S. 13th Street



Photograph No. 2a

Noel's Complete Auto Service – 980 W. College Avenue



Photograph No. 2b

Noel's Complete Auto Service – 980 W. College Avenue



Photograph No. 3a

DRS – 4265 N. 30th Street



Photograph No. 3b

DRS – 4265 N. 30th Street



Photograph No. 4a

Eaton Corporation – 4201 N. 27th Street



Photograph No. 4b

Eaton Corporation – 4201 N. 27th Street



Photograph No. 5

N. 30th Street and W. Burleigh Street



Photograph No. 6

Flood Plain on North Oak Creek

SEWRPC Staff Memorandum

**OAK CREEK UPDATED PHASE 1 WATERCOURSE MANAGEMENT PLAN
SUMMARY OF FLOOD MANAGEMENT ALTERNATIVES
NORTH BRANCH OF OAK CREEK**

August 5, 2010

The following flood management alternatives were evaluated to alleviate structural flood problems along the North Branch of Oak Creek upstream of the CP Rail crossing located south of W. College Avenue at river mile 4.74. The alternatives were designed to address flooding up to and including the one-percent-annual-probability (100-year recurrence interval) flood event.

There are three commercial buildings identified as being at risk of flooding during the one-percent-annual-probability event along this reach of the North Branch, all located in the City of Milwaukee between W. College Avenue and S. 13th Street. This assessment is based on revised hydrologic and hydraulic modeling that reflects MMSD field survey information obtained in December 2009 and March 2010, along with a correction made to the current effective hydrologic model. The buildings identified are located at 950 W. College Avenue, 980 W. College Avenue, and 6200-6214 S. 13th Street. Flood damages to these structures are estimated to be \$599,000 during the one-percent-annual-probability flood event. Average annual damages along this reach are estimated to be about \$16,400 and include damages to an additional eight structures located within the 0.2-percent-annual-probability floodplain. Structures within the 0.2-percent floodplain were considered under this study for two purposes. The first was to better define the anticipated average annual damages, which was obtained by integrating the expected damages for a range of floods, including the 10-, 2-, 1-, and 0.2-percent-annual-probability events. The second purpose was to identify potential critical use facilities in accordance with the agreement governing this study.

In addition to those noted above, there is only one other building along the North Branch of Oak Creek that was identified as being subject to flooding during the one-percent-annual-probability event. That is an apartment building located near S. Wildwood Drive in the City of Oak Creek, about 2.7 miles downstream of the subject CP Rail crossing. The distance of this one building from the rest of the problem area renders a "regional" solution that addresses the entire North Branch of Oak Creek unfeasible. Thus this building was not included in the economic evaluation for the alternatives described herein. None of the alternatives set forth below has a significant impact on flooding at this building location.

Under the current regulatory floodplain situation (Milwaukee County FIS) these same three commercial buildings are identified as being at risk.

NOTE: Only Structure Acquisition and Removal alternatives contained herein.

ALTERNATIVE 3a: STRUCTURE ACQUISITION AND REMOVAL

This alternative calls for the purchase and removal of the three structures identified as being in the one-percent-annual-probability floodplain. The alternative has an estimated capital cost of \$3.8 million with no annual operation and maintenance costs. Structure flooding for events up to and including the one-percent-annual-probability event would be eliminated. The capital cost is based on 2010 City of Milwaukee real estate assessments and includes purchase of both land and improvements, along with consideration of relocation and demolition expenses.

ALTERNATIVE 3b: STRUCTURE FLOODPROOFING, ELEVATION AND REMOVAL

This alternative assumes that effective floodproofing of the three structures identified as being in the one-percent-annual-probability floodplain is possible. The alternative has an estimated capital cost of \$0.7 million with no annual operation and maintenance costs.

The floodproofing method or methods employed will likely vary and depend on the layout and use of the building as well as its structural integrity. Possible measures include re-grading the area around the building, installation of bulkhead doors, and relocation of utilities to the flood protection elevation. In some cases it may require construction of a floodwall around the perimeter of the building or property. Such walls typically have openings to provide normal access during non-flood periods. These openings can be closed during a flood event to prevent the intrusion of floodwater. The method chosen should allow for continued use of the building during non-flood periods. In some cases access or use of the building during a flood may be restricted.

* * *

#152525 V2 -NBOC FLOOD CONTROL ALTERNATIVES DESCRIPTION
330-3024
RJP/
Revised 8/5/10, 7/19/10

Assessment Detail and Listing Characteristics

Taxkey	Premise Address	Nbhd	Plat	Assessment County	Class
6889972100	6200-6214 S 13TH ST	6440	68803	Milwaukee	Special Mercantile

Ownership Information	Conveyance	Assessment Information		
CI OF MILWAUKEE-AIRPORT LLC	Deed Type	QC	Year	Current
	Date	2008-06-20	Land	224100
	Fee	11700.00	Imprv	2075900
2418 CROSSROADS DR, #3800	Name Change: 2008-08-11		Total	2300000
MADISON WI 53718				2300000

Org Year	Drop Year	Zoning	Ald. District	Census
		LB1	13	217-915

Legal Description

LANDS IN SW 1/4 SEC 32-6-22 COM W LI & 368.75' N OF SW COR SD 1/4 SEC-TH N 250'-TH E 305.25'-TH S 250'-TH W 305.25' TO BEG EXC W 45' FOR ST BID 40

Lot Sqft	Lot Acres	Lot Frontage	Lot Depth	Excess Land	Total Sqft
0	1.4940	0	0	0.0000	65079

Building	Stories	Description	Gross Area	Units	Exterior Wall	Year Built
1	3.0	Hotel Limited-Mid Price	45532	81	Alum/Vinyl Siding	1999

Building	Unit Nr	Use Description	Area	Floor	Similar Units	Mkt Rent SqFt
1	6200	Hotel Full-Luxury	45522	M	81	0.00

<u>Recent Permits</u>	<u>Owner History</u>	<u>Sale History</u>	<u>Assessment History</u>	<u>Tax Balance</u>	<u>About Site</u>
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Data Provided By Assessor Query From: 10.5.9.196

Assessment Detail and Listing Characteristics

Taxkey	Premise Address	Nbhd	Plat	Assessment County	Class
6880101000	980 W COLLEGE AV	6290	68803	Milwaukee	Local Mercantile

Ownership Information	Conveyance	Assessment Information
NOEL A LATUS	Deed Type	WD
SHERI M LATUS	Date	2002-08-01
5701 SANDVIEW LN	Fee	900.00
RACINE WI 53046	Name Change: 2009-04-02	
		Year Current Previous
		Land 39200 39200
		Imprv 281600 281600
		Total 320800 320800

Org Year	Drop Year	Zoning	Ald. District	Census
<u>2003-72</u>		IL1	13	???-???

Legal Description

CERT SURVEY MAP NO 7123 IN SW 1/4 SEC 32-6-22 PARCEL 1 BID 40

Lot Sqft	Lot Acres	Lot Frontage	Lot Depth	Excess Land	Total Sqft
19575	0.0000	0	0	0.0000	19575

Building	Stories	Description	Gross Area	Units	Exterior Wall	Year Built
1	1.0	Auto & Auto Body Repair	4800	1	Metal Siding	1988
2		Billboard		2	Other	N/A

Building	Unit Nr	Use Description	Area	Floor	Similar Units	Mkt Rent SqFt
1	N/A	Auto Repair	4800	1	1	15.00

Photographs of Property

Filename	Caption
<u>6880101000 20056 13018.JPG</u>	taken 06/09/2005
<u>6880101000 20056 13027.JPG</u>	taken 06/09/2005
<u>6880101000 20056 13044.JPG</u>	taken 06/09/2005

<u>Recent Permits</u>	<u>Owner History</u>	<u>Sale History</u>	<u>Assessment History</u>	<u>Tax Balance</u>	<u>About Site</u>
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Data Provided By Assessor Query From: 10.5.9.196

Assessment Detail and Listing Characteristics

Taxkey	Premise Address	Nbhd	Plat	Assessment County	Class
6880102000	950 W COLLEGE AV	6290	68803	Milwaukee	Local Mercantile

Ownership Information	Conveyance	Assessment Information
BROWN ESTATES PROPERTY LLC 6102 S 13TH ST MILWAUKEE WI 53221	Deed Type	QC
	Date	2007-07-11
	Fee	0.00
	Name Change: 2007-09-27	
	Year	Current Previous
	Land	372400 372400
	Imprv	0 0
	Total	372400 372400

Org Year	Drop Year	Zoning	Ald. District	Census
<u>2003-72</u>		IL1	13	???-???

Legal Description

CERT SURVEY MAP NO 7123 IN SW 1/4 OF SEC 32-6-22 PARCEL 2 BID 40

Lot Sqft	Lot Acres	Lot Frontage	Lot Depth	Excess Land	Total Sqft
0	6.6210	0	0	0.0000	288411

Building	Stories	Description	Gross Area	Units	Exterior Wall	Year Built
1	1.0	Salvage Yard	2403	1	Alum/Vinyl Siding	1978

Building	Unit Nr	Use Description	Area	Floor	Similar Units	Mkt Rent SqFt
1	N/A	Service Building	2403	1	1	6.57

<u>Recent Permits</u>	<u>Owner History</u>	<u>Sale History</u>	<u>Assessment History</u>	<u>Tax Balance</u>	<u>About Site</u>
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Data Provided By Assessor Query From: 10.5.9.196



DRS Technologies
South/ East Window Area Wells
 Milwaukee, WI
 October 15, 2010

CSI #	Description	South Window Area Wells
900	Pre-Construction Services	\$ 2,720
1000	General Conditions	\$ 10,992
1030	Safety and OSHA	\$ 1,855
1220	Temp. Protection/ Enclosures	\$ 7,911
1220	Builders Risk Insurance (By Owner)	
1410	Testing Allowance	By Owner
1500	Equipment	\$ 1,836
1700	Clean Up	\$ 2,357
2000	Asbestos/Lead Abatement - Allowance	
2030	Selective Demolition	\$ 21,080
2035	Misc. Demolition & Repair - Allowance	
2200	Structure Excavation & Backfill	\$ 22,850
2210	Contaminated Spoils Dump Fee Allowance	
2400	Poor Soil Allowance	
2510	Asphalt Pavement	
2530	Site Concrete	\$ 10,976
2540	Curb & Gutter	
2830	Fences and Gates	
2910	Landscaping/Irrigation	
3300	Cast in Place Concrete	
3400	Precast Concrete	
4200	Masonry/ Glass Block Infill	\$ 28,800
4500	Masonry Restoration/Cleaning - Allowance	
5100	Structural Steel	
5500	Metal Fabrications	
6100	Carpentry	
6400	Millwork and Casework	
7100	Dampproofing/ Waterproofing	\$ 4,120
7200	Insulation	
7500	Roofing and Sheet Metal	
7900	Caulking and Sealants	
8100	Doors, Frames, & Hardware	
8400	Entrances and Storefront Windows	
8500	Glass & Glazing	
8600	Skylights	
9200	Metal Studs and Drywall	
9300	Tile	
9350	Floor Prep Allowance	
9500	Acoustical Ceilings	
9550	Acoustical Ceiling Clouds Allowance	
9650	Resilient Flooring and Carpet	
9690	Access Flooring & Handrails	
9700	Special Flooring	
9705	Polished Concrete Floors	
9900	Painting/Wall Coverings	
10000	General Specialties	
10100	Standard Marker/Tack Boards Allowance	
10110	Sliding Visual Display / Rail Systems	
10140	Signage Allowance	
10220	Folding Partitions (manually operated)	
10260	Corner Guards	
10280	Toilet Accessories & Lockers	
10522	Fire Extinguishers & Cabinets - Allowance	
10550	Postal Specialties (wall mailbox allowance)	
11400	Food Service Equipment Allowance	
11510	Equipment Disconnect & Relocate	
11520	Audio-Visual Equipment Allowance	
12500	Window Treatments Allowance	
12560	Modular Office Furniture Allowance	
12670	Entry Mats	
14200	Elevators	
14400	Wheelchair Lift	
14600	Hoists & Crane Structures	
15300	Fire Protection	\$ -
15400	Plumbing	\$ -
15500	HVAC	\$ -
15955	Building Management System	
16000	Electrical	\$ -
16700	Data/Comm. - Allowance	\$ -
16990	Security System - Allowance	\$ -
17000	Utility Service and Consumption (By Owner)	
Project Subtotal		\$ 113,497
A/E Design Fees & Reimbursables		\$ 2,790
Civil Design		NIC
A/E Assistance with MEP Design		NIC
Permits (Milwaukee, WI)		\$ 1,135
Contingency		\$ 10,000
Shift Premium		NIC
Liability Insurance		\$ 943
Construction Management Fee		12,836
TOTAL		\$ 140,201

AECOM
 1020 North Broadway, Suite 400, Milwaukee, Wisconsin 53202
 T 414.225.5100 F 414.225.5111 www.aecom.com

Memorandum

Date: June 25, 2009
 To: Mr. Benjamin Timm, City of Milwaukee – Department of City Development
 From: Mr. Jaren Hiller, PE, AECOM
 Subject: **Preliminary Analysis – Stormwater Management Facilities**
 Former Tower Automotive - Redevelopment Site
 AECOM Project #104277

A preliminary stormwater management analysis was completed and a conceptual construction cost estimate was developed for stormwater management facilities that may potentially be required for the redevelopment of the former Tower Automotive Site.

Two stormwater management approaches for the site were evaluated in the stormwater quality analysis, and conceptual construction cost estimate:

- 1) Wet Detention Pond - Manage stormwater from the 86 acre site with a single wet detention pond.
- 2) Bio-Retention Cells - Manage stormwater from the 86 acre site with a system of bioretention cells. It was assumed that 43 cells located throughout the site would be used to treat stormwater runoff.

The Source Loading and Management Model (WinSLAMM) was used with both approaches to estimate the annual sediment load reduction realized by the stormwater management facilities. Several iterations were run using WinSLAMM with various sized stormwater facilities. The assumed goal of the proposed stormwater management facilities was to achieve an 80-percent annual sediment load reduction. The results of the analysis for the two approaches are presented in Tables 1A and 1B.

Table 1A
Summary of WinSLAMM Results
Wet Detention Pond

Pond Normal Water Surface Area (ac)	Top of Pond Area* (ac)	% TSS Reduction
1.0	1.4	71%
1.5	1.9	77%
2	2.6	82%
2.5	3.1	85%

*Assumes vertical distance between top of pond area and normal water surface is 5 feet.

Table 1B
Summary of Win-SLAMM Results
Bio-Retention Cells

Surface Area* @ Bottom of Bio-Retention Cell (sf)	Surface Area* @ Top of Bio-Retention Cell (sf)	% TSS Reduction
1,200	2,175	74%
1,600	2,700	80%
2,000	3,200	83%
3,000	4,500	88%

*Surface Area for each bioretention cell. The analysis assumes 43 total cells (one for every two acres of the site).

Based on the WinSLAMM model results, and the goal of meeting an 80-percent annual sediment load reduction, a construction cost estimate was developed for the following:

- 1) Wet Detention Pond – Normal water surface area of 2.0 acres and top of the pond area of 2.6 acres. The pond would have a depth of five feet at normal water level, with five additional feet of storage above normal water level.
- 2) Bio-Retention Cells - 43 cells would be located throughout the site. The cells are assumed to be 1.5-foot deep surface depressions where stormwater infiltrates through an engineered soil, and can then flow out of the cell through an underdrain to the site drainage system. The bio-retention cells would also have a stand-pipe inlet structure to accept larger flows. Each cell would be 1,600 square feet on the bottom of the depression, and 2,700 square feet at the top. The total area needed for all bio-retention cells is 2.7 acres.

The construction cost estimates for both approaches are presented in Tables 2A and 2B.

Table 2A
Construction Cost Estimate - Wet Detention Pond

Item	Item Description	Unit	Quantity	Unit Cost	Total
1	Mobilization / Demobilization	LS	1	\$5,000	\$ 5,000
2	Outlet Structure	EA	1	\$15,000	\$ 15,000
3	Vegetation / Landscape	SY	3,000	\$8	\$ 24,000
4	Connect to Storm Sewer	LS	1	\$15,000	\$ 15,000
5	RIP-Rap	CY	5	\$30	\$ 150
6	Clay Base	SY	9,700	\$1	\$ 9,700
7	Excavation	CY	30,000	\$5	\$ 150,000
8	Excess Soil Hauling	CY	30,000	\$10	\$ 300,000
9	Erosion Control	LS	1	\$ 15,000	\$ 25,000
Total Construction Cost					\$ 543,850
Land Acquisition					\$ -
Engineering / Management					\$ 81,578
15% Contingency					\$ 81,578
Total Cost					\$ 707,005

**Table 2B
Construction Cost Estimate - Bio-Retention Cells**

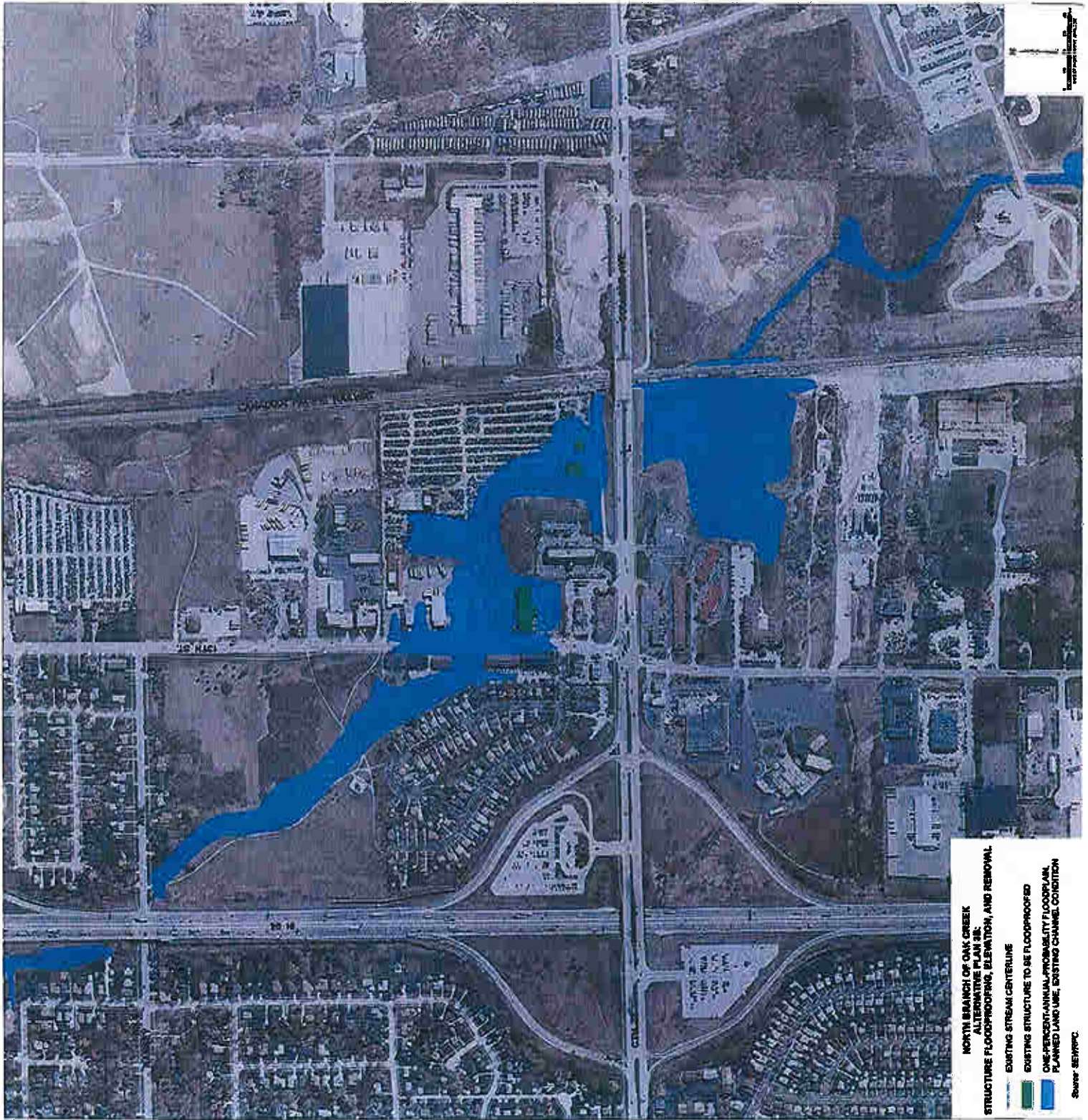
Item	Item Description	Unit	Quantity	Unit Cost	Total
1	Mobilization / Demobilization	LS	1	\$5,000	\$ 5,000
2	6-inch Perforated Underdrain	LF	4,300	\$10	\$ 43,000
3	Stand-Pipe Overflow Structure	EA	43	\$1,000	\$ 43,000
4	Hardwood Mulch	SY	16,000	\$6	\$ 96,000
5	Vegetation / Landscape	SY	16,000	\$6	\$ 96,000
6	Engineered Soil	CY	8,000	\$30	\$ 240,000
7	Filter Fabric for Underdrain	SY	1,400	\$10	\$ 14,000
8	Pea Gravel	CY	3,000	\$30	\$ 90,000
9	Excavation	CY	13,000	\$5	\$ 65,000
10	Excess Soil Hauling	CY	13,000	\$10	\$ 130,000
11	Erosion Control	LS	1	\$ 15,000	\$ 15,000
Total Construction Cost					\$ 837,000
Land Acquisition					\$ -
Engineering / Management					\$ 125,550
15% Contingency					\$ 125,550
Total Cost					\$ 1,088,100

It should be noted that the land area needed for a single wet pond would likely require a separate lot / outlot. The land needed for a system of bio-retention cells could potentially be located within development lots (e.g. setbacks and open space as typically required by zoning codes) thereby reducing the land area exclusively set aside for stormwater management.

For the purposes of this preliminary analysis, the approaches (wet pond or bio-retention) are presented as "either/or" options. It would be feasible to use a combination of stormwater facilities. By presenting the two simplified approaches, the conceptual cost estimates provide a general range of costs for potential stormwater management facilities.

The following assumptions were made in evaluating the stormwater management analysis and preparing the construction cost estimate:

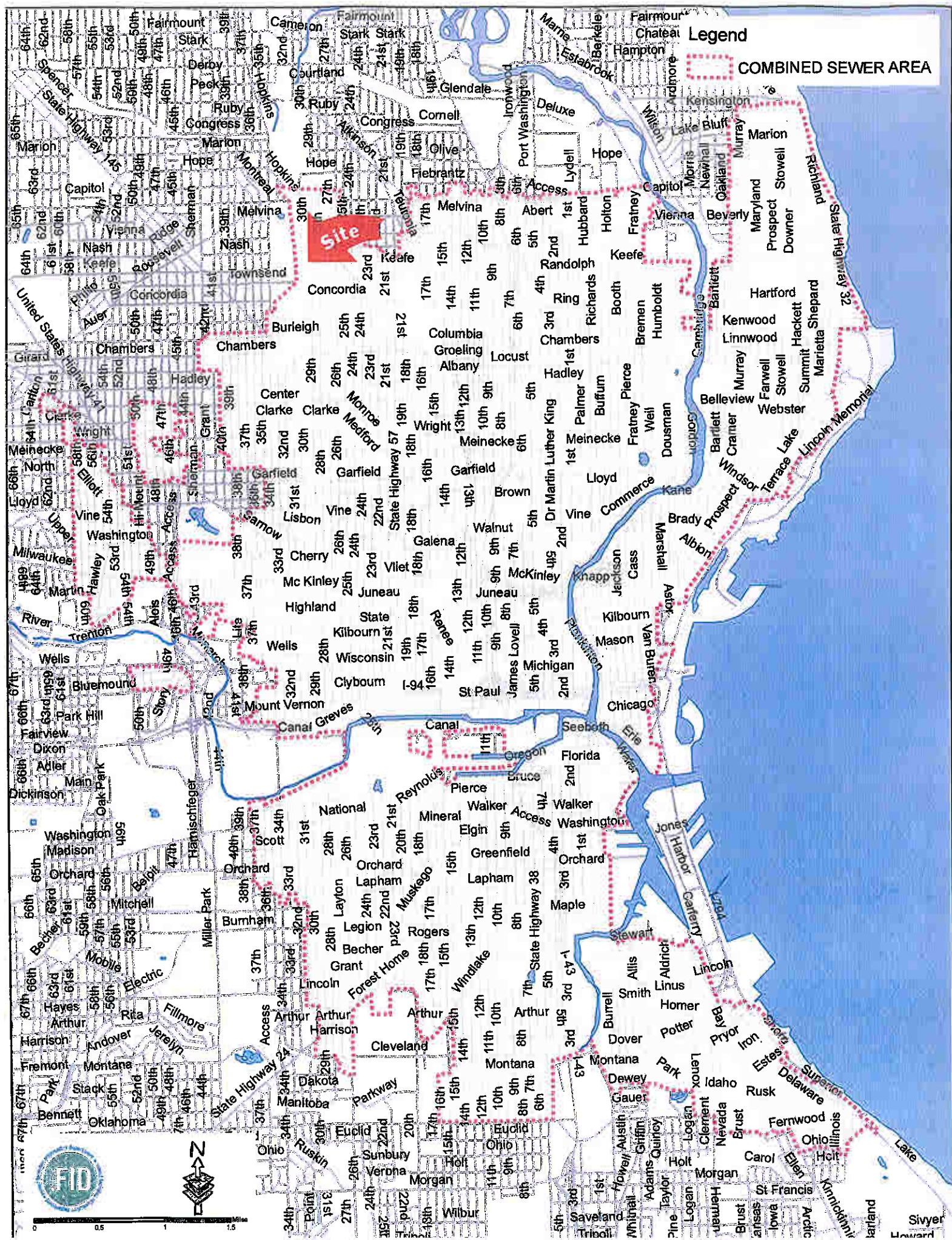
- The stormwater from 86 acres of land area, with commercial and/or industrial land use, is required to be managed.
- The stormwater facilities were sized for water quality treatment. It is assumed that the wet pond, when sized for water quality treatment, will subsequently provide sufficient storage for stormwater quantity management. The use of bio-retention cells alone may not provide sufficient storage for stormwater quantity management, and subsequently, additional storage may be required.
- The land acquisition costs for any stormwater management facility is not included.
- The construction cost estimates do not include any demolition, or other site remediation.
- The construction cost estimates do not include any storm sewer or any other stormwater conveyance system.



**NORTH BRANCH OF OAK CREEK
ALTERNATIVE PLAN 3E:
STRUCTURE FLOODPROOFING, ELEVATION, AND REMOVAL**

- EXISTING STREAM CENTERLINE
- EXISTING STRUCTURE TO BE FLOODPROOFED
- ONE PERCENT ANNUAL PROBABILITY FLOODPLAIN
PLANNED LAND USE, EXISTING CHANNEL CONDITION

Source: SEH/PMC





City of Milwaukee Application for CDBG-EAP Funds

Attach the following documents **at the end** of the application:

1. A copy of the Citizen Participation Plan and minutes of meeting, or adopting resolution, wherein it was approved.

The City of Milwaukee will hold a public hearing in January or February of 2011.

2. A copy of the notice for the public hearing and the minutes of the Citizen Participation public hearing or a signed Citizen Participation Certification

The City of Milwaukee will hold a public hearing in January or February of 2011.

3. A copy of the current, adopted Fair Housing Resolution

Milwaukee's fair housing resolution is detailed in the City Charter (attached).

4. A copy of the Potential Fair Housing Actions sheet with at least one activity circled.

Attached.

5. A copy of the resolution adopted by the governing body of the applicant authorizing submission of the application

A sample resolution that will be adopted by Milwaukee's Common Council in January/February is attached.

6. A cooperation agreement for a joint application (if applicable).

Not applicable.

7. A signed copy of the Statement of Assurances

Attached.

8. A signed copy of the Certification for Contracts, Grants, Loans, and Cooperative Agreements (lobbying certification).

Attached.

9. A map of the community indicating where the proposed activities will take place.

Attached.

10. Business Information Form(s)

Not Applicable.

CHAPTER 109 EQUAL RIGHTS

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SUBCHAPTER 1 PURPOSE; EQUAL RIGHTS COMMISSION

109-1. Findings; Declaration of Policy. 1. A vibrant, livable, successful and productive city is made possible by the talents, contributions and well-being of its diverse residents. It is the policy of the city that the equal rights of all those who live and work in the city are assured, and that equal rights and equal opportunities within the context of the larger commercial and social fabric of the Milwaukee community are promoted.

2. The practice of providing equal opportunities in housing and employment to persons without regard to sex, race, religion, color, national origin or ancestry, age, disability, lawful source of income, marital status, sexual orientation, gender identity or expression, past or present membership in the military service, familial status, or an individual's affiliation with, or perceived affiliation with any of these categories, is a desirable goal of the city and a matter of legitimate concern to its government. Discrimination against any city resident endangers the rights and privileges of all. The denial of equal opportunity intensifies group conflict, undermines the foundations of democratic society and adversely affects the general welfare of the community. Denial of equal opportunity in housing compels individuals and families who are discriminated against to live in housing below the standards to which they are entitled. Denial of equal opportunity in employment deprives the community of the fullest productive capacity of those of its members so discriminated against and denies to them the sufficiency of earnings necessary for maintaining the standards of living consistent with their abilities and talents.

3. Provision for adequate safeguards against discrimination is a proper and necessary function of city government. To protect the health, safety and general welfare of all inhabitants of the city, and all persons employed within the city, it is declared to be the public policy of this city to foster and enforce to the fullest extent the protection by law to equal opportunity in housing and gainful employment without regard to sex, race, religion, color, national origin or ancestry, age, disability, lawful source of income, marital status, sexual orientation, gender identity or expression, past or present membership in the military service, familial status, or an individual's affiliation with, or perceived affiliation with any of these protected categories, and workplace free from discrimination. To fully effectuate this policy of promoting nondiscrimination, the city shall endeavor to eliminate all discrimination that may occur in housing and employment in the city.

109-3 Equal Rights

4. Where applicable, this chapter shall be interpreted and applied consistently with the provisions of Title VIII of the Civil Rights Act of 1968, 42 U.S.C. sections 3601, et seq., 24 C.F.R. sections 100, et seq., and ss. 66.1011, 106.50 and 111.31, Wis. Stats., and any successor provisions of state and federal law.

109-3. Definitions. In this chapter:

1. **COMMISSION** means the equal rights commission.

2. **COMPLAINANT** means any person who files a complaint alleging a violation of this chapter.

3. **CONCILIATION** means the attempted resolution of issues raised by a complaint, or by the investigation of such complaint, through informal negotiations involving the aggrieved person, the respondent and the commission.

4. **CONCILIATION AGREEMENT** means a written agreement setting forth the resolution of the issues in conciliation.

5. **COVERED MULTI-FAMILY DWELLINGS** means buildings consisting of 4 or more units if such buildings have one or more elevators, and ground floor units in other buildings consisting of 4 or more units.

6. **EMPLOYEE** means any person who may be required or directed by any employer, in consideration of direct or indirect gain or profit, to engage in any employment, or to go or work or be at any time in any place of employment, but does not mean a person employed by the person's parents, spouse or child, or any individual employed by the state or federal government.

7. **EMPLOYER** means any person engaging in any activity, enterprise or business employing one or more individuals but shall not include a social club or fraternal society under ch. 188, Wis. Stats., with respect to a particular job for which the club or society seeks to employ or employs a member, if the particular job is advertised only within the membership.

8. **EMPLOYMENT AGENCY** means any person who regularly undertakes to procure employees or opportunities for employment for any other person.

9. **FAMILIAL STATUS** means one or more individuals, who have not attained the age of 18 years, being domiciled with a parent or another person having legal custody of such

individuals; or the designee of the parent or other person having such custody, with the written permission of the parent or other person. The protections afforded against discrimination on the basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years.

10. **DISABILITY** means, with respect to a person, any of the following:

a. A physical or mental impairment which substantially limits one or more of the person's major life activities.

b. A record of having an impairment.

c. Being perceived as having an impairment.

d. This term does not include current, illegal use of or addiction to a controlled substance. The behavioral manifestations of a mental disability may be taken into consideration in determining whether or not the applicant is qualified. A housing provider may consider a history of disruptive, abusive, or dangerous behavior.

11. **GENDER IDENTITY OR EXPRESSION** means a gender-related identity, appearance, expression or behavior of an individual, regardless of the individual's assigned sex at birth.

12. **HOUSING** means any building, structure or part thereof which is used or occupied, or is intended, arranged or designed to be used or occupied as a residence, home or place of habitation of one or more human beings, including a mobile home as defined in s. 66.0435, Wis. Stats., and a trailer as defined in s. 246-1-5 and any land which is offered for sale, lease or use as a site for a building, structure or part thereof intended or designed to be used or occupied as a residence, home or place of habitation of one or more human beings, including a mobile home park as defined in s. 66.0435, Wis. Stats., and a trailer house community as defined in s. 246-1-6. The definition of "housing" is qualified by the exceptions in s. 109-43.

13. **LABOR ORGANIZATION** means either of the following:

a. Any organization, agency or employee representation committee, group, association or plan in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers

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concerning grievances, labor disputes, wages, rates of pay, hours or other terms or conditions of employment.

b. Any conference, general committee, joint or system board or joint council which is subordinate to a national or international committee, group, association or plan under par. a.

14. **MARITAL STATUS** means the status of being married, separated, divorced, widowed or single.

15. **PERSON** means one or more individuals, labor organizations, corporations, partnerships, associations, cooperatives, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy or receivers or other fiduciaries, and the agent or agents of any of the foregoing but, because of actual, potential or perceived conflicts of interest, shall not include the city of Milwaukee, the housing authority and the redevelopment authority of the city of Milwaukee, any agency of the city, or any other municipal, state or federal governmental body or any agent, officer or employee acting in the course of such employment.

16. **PROTECTED PERSON** means any individual intended to be protected from violations of prohibited discrimination in housing and employment under this chapter.

17. **RESPONDENT** means the person or other entity accused in a complaint of an unfair housing or employment practice and any other person or entity identified in the course of investigation and notified as required with respect to respondents so identified under s. 109-51-5-a.

18. **SEXUAL HARASSMENT** means unwelcome sexual advances; unwelcome physical contact of a sexual nature; or verbal or physical conduct of a sexual nature which includes, but is not limited to, deliberate or repeated unsolicited gestures, verbal or written comments and display of offensive sexually graphic materials.

19. **SEXUAL ORIENTATION** means homosexuality, heterosexuality and bisexuality by preference or practice.

20. **SOURCE OF INCOME** means, but is not limited to, moneys received from public assistance, pension and supplementary security

income. Source of income means income that is legally derived and that is subject to reasonable and good-faith efforts to verify the lawfulness of its derivation.

21. **TRANSFER** shall not include the transfer of property by will or gift.

109-5. Equal Rights Commission. 1. There is established an equal rights commission consisting of 7 members, to be appointed by the mayor subject to confirmation by the common council. A chair shall be elected from the membership of the commission at the first regular meeting of each calendar year by a majority of the members of the commission. Members shall be city residents, appointed from a representative cross-section of the community and shall continue to hold office only so long as they shall reside within the city.

2. Each member of the commission shall be appointed for a term of 3 years except that 3 members initially appointed by the mayor shall serve for 1 year, and 2 members shall be appointed for a term of 2 years. Each member shall hold office until a successor is appointed and confirmed. A vacancy occurring other than by expiration of the member's term shall be filled by appointment of the mayor and confirmation by the common council for the unexpired term.

3. Four members shall constitute a quorum for the purpose of conducting business, and a majority of members present shall be required to adopt or approve any action of the commission.

4. The commission shall:

a. Meet not less than 4 times annually for monitoring the employment, contracting, and program activities of the city, prepare and provide timely reports to the mayor and common council on efforts to promote equal rights, equal opportunities, positive community relations, and to eliminate discrimination and inequities in city government and the city.

b. Receive complaints alleging violation of this chapter and pursue remedies by means of mediation, conciliation, litigation or other appropriate means supported by findings of fact and conclusions of law.

c. Not have or exercise jurisdiction over any complaint that sets forth or states any facts or allegations that are the subject matter within the jurisdiction of any state or federal

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agency, including, but not limited to the U.S. Equal Employment Opportunity Commission or the State of Wisconsin, Department of Workforce Development, regardless of whether the complainant has chosen to file with that said agency or not.

d. Render from time to time, but not less than once a year, a written report of its activities and recommendations to the mayor and the common council.

e. Adopt rules and regulations consistent with this chapter and the laws of the state to carry out the policy and provisions of this chapter and the powers and duties of the commission.

f. Issue subpoenas under s. 885.01(4), Wis. Stats., or its successor provisions, to assist in the execution of its duties.

g. Designate commissioners or commission staff to carry out its duties.

h. Conduct hearings under this chapter and, upon appropriate findings of fact and conclusions of law, take action:

h-1. Ordering a respondent to redress any injury occasioned by violation of this chapter.

h-2. Ordering a respondent to cease and desist from violation of this chapter.

h-3. Undertaking any action necessary to effectuate the purpose of this chapter or to bring a respondent into compliance with this chapter including referral to the city attorney of matters and complaints that may be resolved by equitable or other relief in actions brought in Wisconsin circuit court or other courts of competent jurisdiction.

i. Initiate proceedings seeking forfeiture for violation of this chapter or any lawful order issued by the commission under this chapter.

j. Enforce the provisions of ch. 112. The commission shall exercise all authority granted under this subsection with respect to violations of ch. 112, including, but not limited to the power to receive complaints, remedy violations, adopt rules, issue subpoenas and order redress following a hearing regarding violation of ch. 112.

k. Use the procedures described in s. 109-51 in acting on complaints concerning violations of ch. 112 as follows:

k-1. Any party aggrieved by failure to act on a complaint filed or by the decision of an administrative law judge pursuant to the

procedures described in s. 109-51 may seek review pursuant to s. 109-53 within the time limits and the procedures provided in that section.

k-2. If the commission is abolished or reconstituted and its authority transferred to a successor entity, the successor entity shall have full authority to enforce the provisions of ch. 112.

k-3. If the commission, due to lack of funding or staffing, is unable to enforce the provisions of ch. 112, any agency enforcing rights protected under ch. 109 shall also have full authority to enforce the provisions of ch. 112.

109-7. Staffing and Support. 1. The department of employe relations shall assign staff and provide support to the commission as necessary and appropriate to assist the commission in fulfilling its mission and responsibilities.

2. The department of employe relations shall assist the commission by staffing its meetings, drafting reports and other documents, maintaining commission documents, initial processing of complaints, and providing resources necessary to the proper hearing of complaints.

SUBCHAPTER 2
EQUAL RIGHTS AND
CITY ACCOUNTABILITY

109-21. Objective. All sectors of society engaged in the life of the city have a role in promoting equal rights, equity, and a social fabric free of discrimination. City government is uniquely positioned to assume a primary leadership role in these efforts. To achieve this leadership objective, each department, agency and unit of city government shall be accountable for promoting social and economic equity for all residents of the city, and structuring their work so that the outcomes are directed toward social and economic equity for all residents.

109-23. Reports by Departments. The department of employee relations, with the cooperation of all departments, shall regularly provide the commission with information of efforts and activities undertaken across city government to achieve the leadership objective described in s. 109-21. This information shall from time to time identify programs and activities conducted by the city to promote equal rights and equal opportunity both within city government and goals, challenges and strategies. The department of employee relations shall provide the commission with information about activities and accomplishments with respect to the requirements in s. 350-203. Upon the request of the commission, other city departments, agencies and units shall report to the commission orally, in writing or both, at the pleasure of the commission.

109-25. Report to the Mayor and Common Council. The commission shall provide a written communication to the mayor and the common council, not less than annually, summarizing the activities of the commission and the progress of the city in meeting the leadership objective described in s. 109-21. This communication shall further include an examination of those conditions in the city at large which contribute to or detract from equal rights and an environment free from discrimination in housing and employment. The communication shall provide recommendations for furthering the purposes and objectives described in ss. 109-1 and 109-21.

109–Equal Rights

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SUBCHAPTER 3
HOUSING AND EMPLOYMENT
DISCRIMINATION

109-41. Housing Discrimination Prohibited. No person may engage in any act of discrimination with respect to housing against any individual on the basis of sex, race, religion, color, national origin or ancestry, age, disability, lawful source of income, marital status, sexual orientation, gender identity or expression, past or present membership in the military service, familial status, or based upon affiliation with, or perceived affiliation with any of these protected categories. No person may:

1. Refuse to sell or rent after the making of a bona fide offer, or refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny housing to any protected person.
2. Discriminate against any protected person in the terms, conditions or privileges of sale or rental of housing, or in the provision of services or facilities in connection therewith.
3. Make, print or publish, or cause to be made, printed or published any notice, statement or advertisement with respect to the sale or rental of housing that indicates any unlawful preference, limitation or discrimination, or an intention to make any preference, limitation or discrimination to the exclusion of any protected person.
4. Represent to any protected person that any housing is not available for inspection, sale or rental when the housing is in fact so available.
5. Whose business includes engaging in residential real estate-related transactions, discriminate against any protected person in making available such a transaction, or in the terms or conditions of such a transaction.
 - a. In this subsection "residential real estate-related transaction" means any of the following:
 - a-1. The making or purchasing of loans providing financial assistance for either of the following:
 - a-1-a. The purchase, construction, improvement, repair or maintenance of a dwelling.
 - a-1-b. The creation of a security interest in residential real estate.
 - a-2. The selling, brokering or appraising of residential real property.

- b. Nothing in this subsection prohibits a person engaged in the business of making or furnishing appraisals of residential real property from taking into consideration factors other than sex, race, religion, color, national origin or ancestry, age, disability, lawful source of income, marital status, sexual orientation, gender identity or expression, past or present membership in the military service, familial status, or based upon affiliation with, or perceived affiliation with any of these protected categories. Inquiries concerning source of income may be made if they are reasonably directed toward determining solvency, reliability, credit record or ability to pay, and are not a subterfuge to evade the purposes of this chapter.

6. In the business of insuring against hazards, refuse to enter into or exact different terms, conditions or privileges with respect to a contract of insurance against hazards to a dwelling on the basis of an individual's protected status.

7. Refuse to renew a lease, causing the eviction of a tenant from rental housing, or engaging in the harassment of a tenant on the basis of the tenant's protected status.

8. Deny any person access to membership or participation in any multiple-listing service, real estate brokers' association or other service, organization or facility relating to the business of selling or renting dwellings or discriminate against a person on the basis of the person's protected status.

9. Induce or attempt to induce any person to sell, rent or lease any dwelling by representations regarding the present or prospective entry into the neighborhood of a person of a particular sex, race, religion, color, national origin or ancestry, age, disability, source of income, economic status, marital status, sexual orientation, gender identity or expression, past or present membership in the military service, familial status, or based upon affiliation with, or perceived affiliation with any of these protected categories, or by representations to the effect that such present or prospective entry will or may result in:
 - a. The lowering of real estate values in the area concerned.
 - b. A deterioration in the character of the area concerned.
 - c. An increase in criminal or anti-social behavior in the area concerned.

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d. A decline in the quality of the schools or other public facilities serving the areas.

10. a. Discriminate in the sale or rental of, or otherwise make unavailable or deny, housing to any buyer or renter because of a disability of:

a-1. That buyer or renter.

a-2. A person residing in or intending to reside in that dwelling after it is sold, rented or made available.

a-3. Any person associated with that buyer or renter.

b. For purposes of this subsection, "discrimination" includes but is not limited to:

b-1. A refusal to permit, at the expense of the disabled person, reasonable modifications of existing premises occupied or to be occupied by the person if the modifications may be necessary to afford the person full enjoyment of the premises, except that, in the case of a rental, the landlord may, where it is reasonable to do so, condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted.

b-2. A refusal to make reasonable accommodation in rules, policies, practices or services, when the accommodations may be necessary to afford the person equal opportunity to use and enjoy a dwelling.

b-3. In connection with the design and construction of covered multi-family dwellings for first occupancy after March 13, 1991, a failure to design and construct dwellings in a manner that:

b-3-a. The public use and common use portions of the dwellings are readily accessible to and usable by disabled persons.

b-3-b. All the doors designed to allow passage into and within all premises within the dwellings are sufficiently wide to allow passage by disabled persons in wheelchairs.

b-3-c. All premises within the dwellings contain the following features of adaptive design: an accessible route into and through the dwelling; light switches, electrical outlets, thermostats and other environmental controls in accessible locations; reinforcements in bathroom walls to allow later installation of grab bars; and usable kitchens and bathrooms such that an individual in a wheelchair can maneuver about the space.

b-3-d. Compliance with the appropriate requirements of the American National Standard for building and facilities providing accessibility and usability for physically disabled people, commonly cited as ANSI A117.1, suffices to satisfy the requirements of subpar. c.

109-43. Exceptions. Nothing in this chapter shall:

1. Prevent any person from renting or leasing housing, or any part thereof, to solely male or female persons if the housing or part thereof is rented with the understanding that toilet and bath facilities must be shared with the landlord or with other tenants.

2. Limit the applicability of reasonable local, state or federal restrictions regarding the maximum number of occupants permitted to occupy a dwelling.

3. Prohibit a religious organization, association or society, or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association or society, from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in the religion is restricted on account of race, color or national origin.

4. Prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of the lodgings to its members or from giving preference to its members.

5. Regarding familial status, apply with respect to housing for older persons.

a. As used in this subsection, "housing for older persons" means any housing:

a-1. Provided under any state or federal program that is specifically designed and operated to assist elderly persons as defined in the state or federal program.

a-2. Intended for and solely occupied by persons 62 years of age or older.

a-3. Intended and operated for occupancy by at least one person 55 years of age or older per unit. Housing for older persons shall include at a minimum all of the following:

a-3-a. Significant facilities and services specifically designed to meet the physical or social needs of older persons, or if the provision of such facilities and services is not practicable, that such housing is necessary to provide housing opportunities for older persons.

a-3-b. At least 80 percent of the units are occupied by at least one person 55 years of age or older per unit.

a-3-c. Publication of and adherence to policies and procedures which demonstrate an intent by the owner or manager to provide housing for persons 55 years of age or older.

b. Housing shall not fail to meet the requirements for housing for older persons by reason of:

b-1. Persons residing in such housing as of January 2, 1991, who do not meet the age requirements in par. a-2 or 3, provided that new occupants of the housing meet the age requirements of par. a-2 or 3.

b-2. Unoccupied units, provided that the units are reserved for occupancy by persons who meet the age requirements of par. a-2 or 3.

6. Prohibit the development of housing designed specifically for persons with a disability and discrimination on the basis of disability with respect to such housing.

7. Prevent a landlord, with respect to an eyesight-impaired, hearing-impaired or mobility-impaired person who owns a guide or service animal, from:

a. Imposing reasonable rental regulations on such animals, as necessary for health, safety and welfare, but any lease provision which purports to waive or avoid the requirements of these provisions shall be void and unenforceable.

b. Requiring the animal's owner to provide current proof that the animal has successfully passed a course of training at a bona fide school for training such animals.

c. Charging a tenant for any damage caused by the animal.

d. In the case of an owner-occupied dwelling, pars. a to c shall not apply if the owner or a member of his or her immediate family occupying the dwelling unit possesses and, upon request, presents to the guide or service animal owner a certificate signed by a physician which states that the owner or family member is allergic to animals.

8. Affect any person's decision to share occupancy of a lodging room, apartment or dwelling unit with another person.

9. Regarding familial status, apply to rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than 2 families living independently of each other, if the owner actually maintains and occupies one of the living quarters as his or her residence.

10. Prohibit conduct against a person because the person has been convicted by any court of competent jurisdiction of the illegal manufacture or distribution of a controlled substance.

109-45. Employment Discrimination Prohibited.

No person may engage in any act of discrimination with respect to employment against any individual on the basis of sex, race, religion, color, national origin or ancestry, age, disability, lawful source of income, marital status, sexual orientation, gender identity or expression, past or present membership in the military service, familial status, or based upon affiliation with, or perceived affiliation with any of these protected categories.

1. No person individually, or in concert with others, may fail or refuse to hire or discharge any individual, or otherwise discriminate against any individual with respect to his or her compensation, terms, conditions or privileges of employment in violation of this section; provided that an employer who is discriminating with respect to compensation in violation of this subsection shall not, in order to comply with this subsection, reduce the wage rate of any employee.

2. No person individually, or in concert with others, may limit, segregate or classify employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his or her status as an employee in violation of this section.

3. No employment agency may fail or refuse to refer for employment or otherwise to discriminate against, any individual in violation of this section.

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4. No labor organization may:
 - a. Exclude or expel from its membership or otherwise discriminate against any individual in violation of this section.
 - b. Limit, segregate or classify its membership or applicants for membership, or classify or fail or refuse to refer for employment any individual in any way which would deprive or tend to deprive any individual of employment opportunities, or would limit such employment opportunities or otherwise adversely affect his or her status as an employee or as an applicant for employment in violation of this section.
 - c. Cause or attempt to cause an employer to discriminate against an individual in violation of this section.
5. No person may print or publish or cause to be printed or published any notice or advertisement relating to employment by the person or membership in or any classification or referral for employment by a labor organization, or relating to any classification or referral for employment by an employment agency, indicating any preference, limitation, specification or discrimination in violation of this section, subject to the limitations in s. 109-47.
6. No person may refuse to reasonably accommodate an employee's or prospective employee's disability, subject to the limitations in s. 109-47-5.
7. No employer, labor organization, or employment agency or other person may engage in sexual harassment.
 - a. It shall constitute employment discrimination in violation of this subsection when any of the following occurs:
 - a-1. An employee's acquiescence in or submission to sexual harassment is made either explicitly or implicitly a term or condition of employment.
 - a-2. An employee's acquiescence in or submission to sexual harassment is used as the basis or any part of the basis for employment decisions affecting the employee.
 - a-3. Sexual harassment has the purpose or effect of substantially interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.
 - b. An employer, employment agency or labor organization is presumed responsible for its acts and those of its agents and

supervisory employees with respect to sexual harassment regardless of whether the specific acts complained of were authorized by the employer.

- c. An employer, employment agency or labor organization is responsible for acts of sexual harassment of its employees by persons other than its agents or supervisory employees if those acts occur while the complaining employee is performing service growing out of or incidental to his or her employment and if the employer or its agents or supervisory employee knew or should have known of the conduct.

8. **CONTRACT TO INCLUDE PROVISION.** All contracting agencies of the city shall include in all contracts hereafter negotiated, or renegotiated by them, a provision obligating the contractor not to discriminate against any qualified employee or qualified applicant for employment because of sex, race, religion, color, national origin or ancestry, age, disability, lawful source of income, marital status, sexual orientation, gender identity or expression, past or present membership in the military service, familial status, or based upon affiliation with, or perceived affiliation with any of these protected categories, and shall require the contractor to include a similar provision in all subcontracts.

109-47. Exceptions and Special Cases.

1. **RELIGION.** For purposes of this section, discrimination because of religion includes, but is not limited to, refusing to reasonably accommodate an employee's or prospective employee's religious observance or practice unless the employer can demonstrate that the accommodation would pose an undue hardship on the employer's program, enterprise or business.

- a. It is not employment discrimination because of religion for a religious association not organized for private profit, or an organization or corporation which is primarily owned or controlled by the religious association, to give preference to an applicant or employee who is a member of the same or a similar religious denomination, in hiring or promotion to an instructional or policy-making position including, but not limited to, the position of chaplain or counselor.

- b. It is not employment discrimination because of religion for a fraternal organization, as defined in s. 614.01(1), Wis.

Stats., to give preference to an employee or applicant who is a member or is eligible for membership in the fraternal organization, with respect to hiring to or promotion to the position of officer, administrator or salesperson.

2. BONA FIDE OCCUPATIONAL QUALIFICATION. Notwithstanding s. 109-45, it shall not be an unlawful employment practice for an employer, employment agency or labor organization to indicate within a notice or advertisement for employees, a preference, limitation, specification or discrimination based on religion, sex, age, disability, national origin or ancestry, color, lawful source of income, marital status, sexual orientation, gender identity or expression, past or present membership in the military service, familial status, or based upon affiliation with, or perceived affiliation with any of these protected categories; or to employ, classify or refer for employment any individual on the basis of religion, sex, age, disability, national origin or ancestry, color, lawful source of income, marital status, sexual orientation, gender identity or expression, past or present membership in the military service, familial status, or based upon affiliation with, or perceived affiliation with any of these protected categories where it is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise.

3. BONA FIDE DISTINCTIONS. Notwithstanding any other provision of s. 109-45, it shall not be an unlawful employment practice for an employer to apply different standards of compensation or different terms, conditions or privileges of employment pursuant to a bona fide seniority or merit system, or a system which measures earnings by quantity, or quality of production or to employees who work in different locations, provided that such differences are not the result of an intention to discriminate because of sex, race, religion, color, national origin or ancestry, age, disability, source of income, marital status, sexual orientation, gender identity or expression, past or present membership in the military service, familial status, or based upon affiliation with, or perceived affiliation with any of these protected categories.

4. AGE. a. It shall not be unlawful age discrimination to observe the terms of a bona fide seniority system or any bona fide

employee benefit plan such as a retirement, pension or insurance plan which is not a subterfuge to evade the purposes of s. 109-45, except that no such employee benefit plan shall excuse the failure to hire any person.

b. Discrimination on the basis of age does not apply to any person less than 40 years of age.

5. DISABILITY. Discrimination because of disability is not prohibited if the employer, labor organization or employment agency can show that the disability is reasonably related to the individual's ability to adequately undertake the job-related responsibilities of that individual's employment. It is prohibited discrimination for an employer to contribute a lesser amount to the fringe benefits, including life or disability insurance coverage, of an employee because of his or her disability.

6. MARITAL STATUS. It is not employment discrimination because of marital status to prohibit an individual from directly supervising or being directly supervised by that individual's spouse.

109-49. Other Acts Prohibited. 1. No person may coerce, intimidate, threaten or interfere with any person in the exercise or enjoyment of any right granted or protected by this chapter, or with any person who has aided or encouraged another person in the exercise or enjoyment of any right granted or protected by this chapter.

2. No person may aid, abet, incite, compel or coerce the doing of any act which violates this chapter or obstructs or prevents any person from complying with the provisions of this chapter.

3. No person, whether individually or in concert with others, may take any retaliatory action against or otherwise discriminate against any person who has opposed any discriminatory practices proscribed by this chapter or who has made a complaint, testified or assisted in any proceeding under this chapter.

109-51. Complaint Procedure. The commission shall use the following procedures in acting on complaints of discrimination, including violations of the provisions of ch. 112:

1. An aggrieved person ("the complainant") may, not later than 300 days

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after an alleged discriminatory practice has occurred, file a written complaint to the commission alleging a discriminatory practice or violation. The commission shall not accept or investigate any complaint unless it is in writing and verified by the complainant.

2. When a complaint or inquiry is presented to the commission or to designated staff of the department of employee relations, and it appears that the commission does not have jurisdiction pursuant to 109-5 4-c, the complainant shall be referred to appropriate state or federal enforcement agencies, and the complainant shall be advised that the commission does not have jurisdiction over the matter.

3. An aggrieved person whose complaint has been denied by a federal or state agency on the basis of a lack of subject matter jurisdiction, and all appeals of the denial have been exhausted, may, not later than 60 days from the date of written notice of the federal or state determination or final appeal, file a complaint with the commission alleging a discriminatory practice or violation subject to further review by the commission for jurisdiction and timeliness.

4. Upon the receipt and acceptance of a written complaint:

a. The commission shall serve notice upon the aggrieved person acknowledging the filing and advising the aggrieved person of the time limits within 30 days after receipt of the complaint.

b. Not later than 10 days after the filing or the identification of an additional respondent under par. a, the commission shall serve on the respondent a notice identifying the alleged discriminatory housing or employment practice and advising the respondent of the procedural rights and obligations of respondents under this chapter, together with a copy of the original complaint.

c. Each respondent may file, not later than 10 days after receipt of notice from the commission, an answer to the complaint.

d. The commission shall initiate and complete a probable cause investigation within 100 days after receipt of the complaint unless the circumstances render it impracticable, in which case, the commission shall notify the complainant and respondent in writing of the reasons for not doing so.

5. a. A person who is not named as a respondent in a complaint, but who is identified as a respondent in the course of investigation, may be joined as an additional or substitute respondent upon written notice, under sub. 3, to the person, from the commission.

b. The notice, in addition to meeting the requirements of sub. 3, shall explain the basis for the commission's belief that the person to whom the notice is addressed is properly joined as a respondent.

6. The department of employee relations may employ such investigators and administrative law judges as it deems necessary to hear and decide complaints of discrimination and to assist in the administration of this chapter. An administrative law judge may propose findings of fact and make recommendations to the commission for resolution of a complaint.

7. If an investigator finds probable cause to believe that any discrimination has been or is being committed, the commission shall endeavor to eliminate the practice by conference, conciliation or persuasion. Upon completion of an investigation, the investigator shall prepare a final investigative report containing:

a. The names and dates of contacts and witnesses.

b. A summary and dates of correspondence and other contacts with the aggrieved person and the respondent.

c. A summary description of other pertinent records.

d. A summary of witness statements.

e. Answers to interrogatories.

8. If agreement is reached, a written conciliation agreement shall be approved by the commission and signed by the complainant, the respondent and the representative of the commission. The signed conciliation agreement shall have the effect of a commission order.

9. Each conciliation agreement shall be made public unless the complainant and respondent otherwise agree and the commission determines that disclosure is not required to further the purposes of the chapter.

10. a. In case of failure to eliminate the discrimination, the commission shall issue and serve a written notice of hearing before an administrative law judge specifying the nature of the discrimination which appears to have

been committed, and requiring the respondent to answer the complaint in writing within 10 days after receipt of the notice of hearing and to appear at the hearing on the appointed date. The notice shall specify a time of hearing not less than 10 days after service of the notice of hearing.

b. In accordance with the requirements of s. 68.11, Wis. Stats., each party at the hearing may be represented by counsel and may present evidence and call and examine witnesses and cross-examine witnesses of the other party. Witnesses shall be sworn by the person conducting the hearing. The administrative law judge may issue subpoenas.

c. The administrative law judge may take notes of the testimony and shall mark and preserve all exhibits. The testimony at the hearing shall be recorded.

11. If, after hearing, the administrative law judge finds by a preponderance of the evidence that the respondent has engaged in discrimination, the administrative law judge shall make proposed written findings and order such action by the respondent as will redress the injury done to the complainant in violation of this chapter, bring respondent into compliance with its provisions and generally effectuate the purpose of this chapter. The commission shall serve a certified copy of the administrative law judge's proposed findings and order on the respondent and complainant.

12. If the administrative law judge finds that the respondent has not engaged in discrimination as alleged in the complaint, the commission shall serve a certified copy of the administrative law judge's proposed findings on the complainant and the respondent together with an order dismissing the complaint.

13. Upon finding that employment discrimination has taken place, an administrative law judge may award back pay. Back pay liability may not accrue from a date more than 2 years prior to the filing of a complaint with the commission. Interim earnings or amounts earnable with reasonable diligence by the person discriminated against shall not operate to reduce back pay allowable, but shall be withheld from the person discriminated against and immediately paid

to the state unemployment reserve fund or, in the case of welfare payments, to the welfare agency making the payments.

109-53. Review of Decision. 1. a. Pursuant to s. 68.09 Wis. Stats., and s. 320-11, any party aggrieved by the investigator's failure to find probable cause or the administrative law judge granting or denying in whole or in part the relief sought shall be entitled to seek review by written request filed with the commission within 30 days of notice to such person of the determination. If review is not sought within the time prescribed, the commission may set aside the proposed findings and order, and remand the action to the administrative law judge for such action necessary to effectuate the purpose of the chapter, or the commission may adopt the proposed findings and orders, and upon adoption, such determination shall become a final determination.

b. A request for review shall state the grounds upon which the person aggrieved contends that the decision should be modified or reversed.

c. The commission shall review the determination within 45 days of receipt of a request for review. The time for review may be extended by agreement with the person aggrieved.

d. The person aggrieved may file with the request for review or within the time specified by the commission, statement of facts, and argument or legal brief in support of the person's position and, at the same time, shall serve a copy of the request for review and the statement of facts and argument or legal brief upon all other parties to the original proceeding. Each party may file a response not later than 10 days after receipt of the copy of the aggrieved party's request for review.

e. The commission shall mail or deliver to all parties in this action, within 20 days after making a determination, a copy of its decision on review, which shall state the reasons for its decision and advise such persons of the right to appeal that decision, the time in which the appeal shall be taken and the office or person with whom notice of appeal shall be filed. This determination shall be a final determination.

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2. Any party to a proceeding resulting in a final determination may seek judicial review by certiorari within 30 days of the receipt of the final determination, pursuant to ch. 68, Wis. Stats.

109-55. Forfeiture. 1. Any person who willfully violates this chapter or any lawful order of the commission under this chapter shall, for the first violation, forfeit not less than \$500 nor more than \$5,000.

2. For each successive violation within 5 years of having been adjudged to be in violation of this chapter or any lawful order of the commission under this chapter, the person shall forfeit not less than \$1,000 nor more than \$10,000.

3. Each day or fraction thereof on which such person shall willfully violate this chapter or a lawful order of the commission under this chapter shall be deemed a separate offense.

109-57. Enforcement. 1. Whenever in the judgment of the commission, the enforcement of a forfeiture imposed for violation of this chapter or of an order under this chapter is necessary, the commission shall refer the matter in writing to the city attorney for enforcement in the name of the city or the commission.

2. Upon referral, the city attorney may seek enforcement of this chapter in a court of competent jurisdiction and as provided in ss. 66.0114 and 66.1011(2), Wis. Stats., or otherwise.

3. At any time after a complaint is filed, the commission may request the city attorney to file a petition in circuit court, seeking appropriate temporary relief against the respondent, pending final determination of proceedings under this chapter, including an order or decree restraining the respondent from performing an act tending to render ineffectual an order the commission may enter with respect to the complaint.

SUBCHAPTER 4
NEIGHBORHOOD AND COMMUNITY
RELATIONS

109-61. Community and Neighborhood Engagement. The commission shall, with the support and assistance of the department of employee relations, and such other departments, agencies, boards and commissions as may from time to time be appropriate, establish and maintain collaborative relationships with area human rights organizations, with the academic community, and with the private sector, for promoting equal rights by recognizing accomplishments and best practices, by facilitating community discussions relating to the equal rights and equal opportunities within respective neighborhoods and the city as a whole, and by providing, sponsoring or participating in informational and educational programs addressing equal rights issues, the laws prohibiting discrimination and promoting equal opportunities, and the availability of services and programs. Primary objectives for engagement with neighborhoods and the community shall include the promotion of diversity and community cohesion.

109-63. Clearinghouse. The commission shall, with the support and assistance of the department of employee relations, provide a clearinghouse of information and publications relating to human rights, equal rights and non-discrimination, including information about services and programs available to the public. Clearinghouse information shall include summaries of the numbers and types of referrals made and complaints handled by the commission and, to the extent practicable, the matters handled by other equal rights agencies and organizations in the community.

109--(HISTORY) Equal Rights

LEGISLATIVE HISTORY CHAPTER 109

Abbreviations:

am = amended

cr = created

ra = renumbered and amended

rc = repealed and recreated

rn = renumbered

rp = repealed

<u>Section</u>	<u>Action</u>	<u>File</u>	<u>Passed</u>	<u>Effective</u>
Ch. 109	rc	892540	10/16/90	1/2/91
Ch. 109	rc	081017	12/16/2008	1/8/2009
109-1-1	am	940829	11/29/94	12/16/94
109-1-1	am	070370	7/31/2007	8/17/2007
109-1-2	am	001458	2/27/2001	3/16/2001
109-3-1	am	940829	11/29/94	12/16/94
109-3-6	am	070370	7/31/2007	8/17/2007
109-3-10-0	am	940829	11/29/94	12/16/94
109-3-10-d	am	940829	11/29/94	12/16/94
109-3-11	am	001458	2/27/2001	3/16/2001
109-3-11	rn to	070370	7/31/2007	8/17/2007
109-3-12				
109-3-11	cr	070370	7/31/2007	8/17/2007
109-3-12	rn to	070370	7/31/2007	8/17/2007
109-3-13				
109-3-13	rn to	070370	7/31/2007	8/17/2007
109-3-14				
109-3-14	rn to	070370	7/31/2007	8/17/2007
109-3-15				
109-3-15	rn to	070370	7/31/2007	8/17/2007
109-3-16				
109-3-16	rn to	070370	7/31/2007	8/17/2007
109-3-17				
109-3-17	rn to	070370	7/31/2007	8/17/2007
109-3-18				
109-3-18	rn to	070370	7/31/2007	8/17/2007
109-3-19				
109-3-19	rn to	070370	7/31/2007	8/17/2007
109-3-20				
109-3-20	rn to	070370	7/31/2007	8/17/2007
109-3-21				
109-5-0	am	940829	11/29/94	12/16/94
109-5-0	am	070370	7/31/2007	8/17/2007
109-5-5-b	am	940829	11/29/94	12/16/94
109-5-5-b	am	070370	7/31/2007	8/17/2007
109-5-9-0	am	940829	11/29/94	12/16/94
109-5-9-0	am	070370	7/31/2007	8/17/2007
109-5-10-a-0	am	940829	11/29/94	12/16/94
109-5-10-b-1	am	940829	11/29/94	12/16/94
109-5-10-b-3-a	am	940829	11/29/94	12/16/94
109-5-10-b-3-b	am	940829	11/29/94	12/16/94
109-5-10-b-3-d	am	940829	11/29/94	12/16/94
109-7-6	am	940829	11/29/94	12/16/94
109-7-7	am	940829	11/29/94	12/16/94
109-9-0	am	940829	11/29/94	12/16/94
109-9-0	am	070370	7/31/2007	8/17/2007
109-9-6	am	940829	11/29/94	12/16/94
109-9-8	cr	901997	3/26/91	4/12/91

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109-9-8	am	940829	11/29/94	12/16/94
109-9-8	am	070370	7/31/2007	8/17/2007
109-11-2	am	940829	11/29/94	12/16/94
109-11-2	am	070370	7/31/2007	8/17/2007
109-11-3	am	940829	11/29/94	12/16/94
109-11-3	am	070370	7/31/2007	8/17/2007
109-11-5	am	940829	11/29/94	12/16/94
109-15-0	am	940829	11/29/94	12/16/94
109-15-1	am	940829	11/29/94	12/16/94
109-15-1	am	990606	7/29/99	8/17/99
109-15-3	am	991566	2/8/2000	2/25/2000
109-15-4-h*	cr	080420	11/4/2008	11/12/2008
109-15-4-i *	cr	080420	11/4/2008	11/12/2008
* enacted as result of direct legislation; passed by city voters on 11/4/2008.				
109-17-4	am	071158	1/15/2008	2/2/2008

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POTENTIAL FAIR HOUSING ACTIONS

According to 24 CFR 570.487(b), the Grantee must take some action to affirmatively further fair housing during the contract period. ***Circle the number of at least one of the actions below.*** If your project is funded, the action indicated will be included in your contract timetable. You will be expected to implement it according to the contract timetable.

Fair housing actions may include, but are not limited to the following:

1. Enact, strengthen or advertise a local fair housing law;
2. Make area-wide zoning revisions to facilitate the dispersal of multi-family housing outside of minority-concentrated areas;
3. Initiate or fund any studies examining current housing opportunities for minority persons, handicapped persons and families with children and have these studies form the basis of an affirmative action program providing greater housing opportunities for minorities, handicapped persons and families with children;
4. Send letters from the chief executive officer or chief elected official of the local government to those in the business of selling, renting or financing housing, encouraging them to adhere fully to the fair housing law;
5. Have the local governing body or chief elected official publicly endorse the principle of fair housing and of adherence to the fair housing law in the form of a proclamation, resolution or similar publicized statement of importance;
6. Improve community facilities and public services in racially integrated neighborhoods to help preserve their mixed character;
7. Display a fair housing poster or provide fair housing information at an appropriate public place;
8. Initiate a public education program on fair housing, involving, for example, representatives of fair housing groups, human relations' bodies, minority organizations, the real estate industry and government, through the local media. This could include talks on the community's housing opportunities;
9. Fund a fair housing organization (such as a local housing authority) to conduct studies and/or to aggressively investigate rental and/or realtor practices;
10. Suggest the use of affirmative marketing and advertising practices by private developers as a condition for obtaining local licenses and permits; and
11. Enlist the participation of local associations (realtors, real estate brokers, home builders and mortgage lenders) in approved voluntary programs to promote affirmative fair housing marketing and to review mortgage credit and underwriting criteria that may have an adverse impact on minorities, women, handicapped persons and families with children.
12. Other: _____



City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin
53202

Legislation Text

File #: 090921, Version: 1

Number

090921

Version

SUBSTITUTE 1

Reference

Sponsor

ALD. DAVIS

Title

Substitute resolution relative to the application, acceptance and funding of the Community Development Block Grant Supplemental Disaster Allocation Emergency Assistance Program from the U. S. Department of Housing and Urban Development through the Wisconsin Department of Commerce.

Analysis

The resolution authorizes the Department of Administration's Community Development Grants Administration (CDGA) to apply, accept and fund CDBG-Emergency Assistance Program from the U. S. Department of Housing and Urban Development through the Wisconsin Department of Commerce in the amount of \$3,320,509.

Body

Whereas, The City of Milwaukee is eligible for grant funds for the CDBG-Emergency Assistance Program from the U. S. Department of Housing and Urban Development through the Wisconsin Department of Commerce; and

Whereas, The operation of this grant program from July 1, 2009 through June 30, 2010 would cost \$3,320,509 which would be provided by the grantor; now therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that application to the Wisconsin Department of Commerce is authorized and the Community Development Grants Administration shall accept this grant without further approval unless the terms of the grant change as indicated in Section 304-81, Milwaukee Code of Ordinances; and, be it

Further Resolved, That the City of Milwaukee assures and certifies that it will comply with regulations, policies guidelines and requirements with respect to the acceptance and use of the Wisconsin Department of Commerce funds to be signed by the Mayor of the City of Milwaukee as the certifying official for these grant programs; and, be it

Further Resolved, That the administration of these funds will require the Community Development Grants Administration to monitor funds complete performance reports, and provide due diligence on grant compliance; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2009 Special Revenue Grant And Aid Project Funds, the following amounts for the program/project titled Community Development Block Grant -Emergency Assistance Program (Supplemental Disaster Allocation):

<u>Project/Grant</u>	<u>Fund</u>	<u>Org</u>	<u>Program</u>	<u>BY</u>	<u>SubClass</u>	<u>Acct</u>
GR0000900000	0150	9990	0001	0000	R999	000600

<u>Project</u>	<u>Amount</u>
Grantor Share	\$3,320,509

2. Create the necessary Grant and Aid Project/Grant and Project/Grant levels; budget against these Project/Grant values the amount required under the grant agreement;
3. Establish the necessary City Share Project values; and, be it

Further Revolved, That \$3,320,509 is budgeted for the Community Development Grants Administration which is authorized to:

1. Expend from the amount budgeted for specified purposes as indicated in the grant budget and incur costs consistent with the award date;
2. Enter into subcontracts as detailed in the grant budget.

Requestor
Drafter
CDGA-CDBG-EAP
11/17/09

STATEMENT OF ASSURANCES

I, Tom Barrett, Mayor, of Milwaukee,
(Name of chief elected official) (Title) (Community Name)
in Milwaukee County certify that the City of Milwaukee:
(Community name)

[Initial each item]

1. TB Has authorized its Chief Elected Official or Administrator (City, Village, Town, or County) to submit the application, sign contracts, and conduct other business related to the proposed activity if funded.
2. TB Has implemented a citizen participation plan in accordance with the provisions of Section 104 (a)(2) and (3) of the Housing and Community Development Act of 1974, as amended.
3. TB Has identified its housing and community development needs, including those of low- and moderate-income persons and the activities to be undertaken meet such needs.
4. TB Will conduct and administer its program in conformance with the Civil Rights Act of 1964 and the Fair Housing Act, and affirmatively further fair housing.
5. TB Will minimize displacement as a result of activities associated with CDBG funds, and will follow an adopted residential anti-displacement and relocation assistance plan.
6. TB Will not use special assessments to recover the capital costs of CDBG funded public improvements from low- and moderate-income owner occupants.
7. TB Will comply with 24 CFR 570.608 regarding notification, inspection, testing, and abatement procedures concerning lead-based paint.
8. TB Has adopted and will enforce a policy prohibiting use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations in accordance with Section 519 of Public Law 101144.
9. TB Has a policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of nonviolent and civil rights demonstrations.
10. TB Will not enter into a contract with any entity that is debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation.
11. TB Is currently in compliance with terms and conditions of all past and/or active Commerce awards and/or contracts.
12. TB Acknowledges that prior to project implementation, certain procedures must first be taken, including but not limited to the following: Complete the environmental review process, request federal wage rates if applicable, establish base employment levels for job related projects, enter into a development agreement with the participating business, and develop a system for tracking job retention and/or creation for LMI persons if applicable to the project.
13. TB Will comply with all the provisions of the Community Development Block Grant Program and will maintain documentation of compliance with the above certifications.

Tom Barrett
Signature of Chief Elected Official

Date

6/2/11

CERTIFICATION FOR CONTRACTS, GRANTS, LOANS AND COOPERATIVE AGREEMENTS

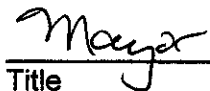
This certifies that, to the best of the undersigned's knowledge and belief:

1. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
2. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete Standard Form - LLL "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

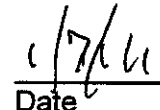
This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.



Chief Elected Official



Title



Date

